



THE ATTORNEY GENERAL OF TEXAS

AUSTIN, TEXAS 78711

**JOHN L. HILL
ATTORNEY GENERAL**

July 20, 1973

**Mr. Roby L. Windham, President
The First National Bank
120 W. Sam Rayburn Dr.
Bonham, Texas 75418**

Open Records Decision No. 1

Dear Mr. Windham:

The last question in your letter of July 6, 1973, is as follows:

"(4) Is this bank such a governmental agency as subject to the request under the law mentioned?"

Since the answer to this question is dispositive of the others, we will respond only to it..

Section 2 of the Open Records Act states the following:

"(1) 'Governmental body' means:

(A) any board, commission, department, committee, institution, agency, or office within the executive or legislative branch of the state government, or which is created by either the executive or legislative branch of the state government, and which is under the direction of one or more elected or appointed members;

(B) the commissioners court of each county and the city council or governing body of each city in the state;

(C) every deliberative body having rulemaking or quasi-judicial power and classified as a department, agency, or political subdivision of a county or city;

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(D) the board of trustees of every school district, and every county board of school trustees and county board of education;

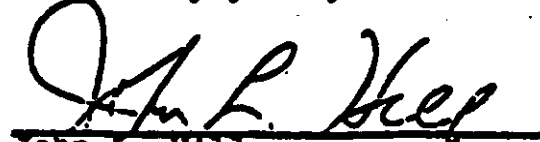
(E) the governing board of every special district;

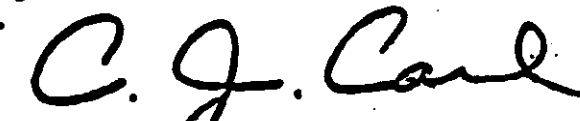
(F) the part, section, or portion of every organization, corporation, commission, committee, institution, or agency which is supported in whole or in part by public funds, or which expends public funds. Public funds as used herein shall mean funds of the State of Texas or any governmental subdivision thereof;

(G) the Judiciary is not included within this definition."

We do not believe that your bank falls within the confines of this definition. We express no opinion here as to whether Mrs. Fraser could secure the information she desires from the records of the Bonham Independent School District.

Very truly yours,


John L. Hill
Attorney General of Texas


C. J. Carl
Staff Legislative Assistant

cc: Mrs. Lois G. Fraser
Route 1
Bonham, Texas 75418

JLH:CJC:djw